

MEMO ENDORSED

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DATE FILED: 10/24/23

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October 19, 2023

VIA ECFALCarterNYSDChambers@nysd.uscourts.gov

Judge Andrew L. Carter, Jr.
 United States District Court
 Southern District of New York
 40 Foley Square, Room 435
 New York, New York 10007

Re: *John Contreras v. Gutman, Mintz, Baker & Sonnenfeldt, et. al.*
Docket No.: 23-cv-05469

Your Honor:

The law firm of Rivkin Radler LLP has only very recently been retained by Defendants Gutman, Mintz, Baker & Sonnenfeldt, LLP, Eric Keilbach and Gary Thigpen, (collectively the "Gutman Defendants"), in the above referenced action. I filed my Notice of Appearance yesterday. *See, Dkt. #9*. The Gutman Defendants respectfully submit this motion for an extension of time to file their responsive pleading to Plaintiff's Complaint, *see, Dkt. # 1*, until November 10, 2023. Plaintiff's counsel has consented.

According to the docket sheet, the Gutman Defendants' responsive pleading was initially due to be filed on August 2, 2023. I have been advised by my client that they and Plaintiff's counsel subsequently agreed to additional extensions of time to file their responsive pleading, for the purpose of attempting to come to an agreement for an early resolution of this action. I have been further advised that on October 18, 2023, the parties concluded that an early resolution could not be reached.

As I am just getting involved in this action, and given my other professional commitments, the extension of time requested will afford me the time to thoroughly analyze the allegations, do my due diligence and investigation, and file the appropriate responsive pleading on behalf of my clients.

RIVKIN RADLER LLP

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Respectfully submitted,

RIVKIN RADLER LLP

Kenneth A. Novikoff

Kenneth A. Novikoff

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SO ORDERED:

HON. ANDREW L. CARTER, JR.
UNITED STATES DISTRICT JUDGE

October 24, 2023
New York, NY

Defendant's request for an extension of time to answer Plaintiff's Complaint is hereby GRANTED. Defendant's answer shall be due by November 10, 2023.

The Clerk of the Court is respectfully requested to close the motion at Dkt. 10.